

Brunswick Planning Commission
Minutes
February 23, 2004

Commission Members Present: Chair Ed Gladstone, Vice Chair Don Krigbaum, Secretary Connie Koenig, Council Liaison Walt Stull, and Ellis Burruss, Alternate

Mayor & Council Present: None.

Staff Present: City P & Z Administrator Rick Stup.

Chairman Gladstone called the meeting to order at 7:00 PM.

Minutes

The minutes of the January 28, 2004 meeting were reviewed and approved with minor corrections to be made by Staff. (MOTION by Mr. Stull and seconded by Mr. Burruss unanimously passed.)

Chairman

Mr. Gladstone requested all those in attendance who were going to speak on any of the cases, to rise and be sworn in. He administered the oath.

At Mr. Gladstone's request, Mr. Stup presented a request from Pulte Homes for relief from the Commission's policy that front sidewalks be completed prior to U & O Permit issuance for Lots 20, 21, 22 & 24.

After some discussion, Ms. Koenig made a motion to deny the request; Mr. Krigbaum seconded the motion.

VOTE: Yea 5 Nay 0

Mr. Stup briefed the Commission on the tentative schedule for the re-approval of the Master Plan.

Mr. Stup provided additional information with regard to the Community Commons Seminar on March 26.

Old Business - None

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New Business

Zoning – Residential Site Plan

DVL-Gum Springs – Request for re-approval of a 11 Lots of Record Residential Site Plan: Located on the H Street, Gum Springs Road and proposed G Street, west of Ninth Avenue. Zoning Classification: R-1, BR-SP-02-05-RA

Staff Presentation and Recommendation

Mr. Stup presented the Staff Report for the re-approval of a 11 Lots of Record Residential Site Plan.

He stated that the applicant has been working with Staff to resolve issues with both the Site Plan and Improvement Plans. Those issues with regard to the Site Plan have been resolved and it was signed by the Chair on February 3, 2004. The Improvement Plans have been approved by SCD and County DPW on September 30, 2003. Those approvals are good for two (2) years. The Design Manual, Subdivision Regulations and Zoning Ordinance are silent on the expiration of Planning Commission Approval of Improvement Plans. However, since the Planning Commission approves the plans and it is part of the Site Plan development process, Staff interpretation is that the Improvement Plans have the same one (1) year validity limit. Therefore the Improvement Plans are required to be re-approved with the Site Plan.

Phase 1 Development encompasses Lots 2, 3, 6 & 7, which front on existing H Street, with all required supporting improvements. Phase 2 Development encompasses Lots 8-14, which front on proposed G Street, with all required supporting improvements. This includes the construction of G Street from Gum Springs Road to Ninth Avenue and requires Council approval of the Conditional Acceptance of G Street for the purpose of the developer constructing the street. The opening of a platted street is a legislative act cited by the City Charter in Article I, Section 16-3, (10). An action by the Planning Commission cannot negate that requirement.

The plan does not comply with new policies and requirements for Staff review. However, since this is a request for re-approval, and there have been some delays due to lack of records of past application, submissions and actions, Staff can support the re-approval of the Site Plan as submitted. However, if vesting does not occur, any further re-approval requests will be considered a new application and all new policies and procedures will be required.

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Staff Presentation and Recommendation Cont.

Residential Site Plan:

Staff recommends re-approval of the Residential Site Plan in accordance with the Staff Report and with the following conditions:

1. Address Agency comments.
2. Applicant bound by their testimony.
3. New request for re-approval to be considered a new submission.
4. Improvement Plans and PWA Package approval.

Improvement Plans:

Staff recommends re-approval of the Improvement Plans in accordance with the Staff Report and with the following conditions:

1. Address Agency comments.
2. Applicant bound by their testimony.
3. All prior conditions of approval to be met.
4. PWA Package submission and approval.
5. Fro Package and Financial Option submission and approval.

Mr. Stup answered Commission Questions with regard to re-approval, vesting and G Street opening and the Staff Recommendation.

Applicant

Ms. Laura A. Melia, Laura A. Melia PA, presented the applicant's case and answered Commission questions.

She questioned some of Staff's background information, passed Council and Commission actions, and approval date.

At Mr. Gladstones' request Mr. Stup clarified the points made by Ms. Melia.

Public Comment

Kim Cable had questions with regard to drainage, sidewalks along H Street at Park Heights Cemetery, FRO, and sanitary sewer taps.

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Skeeter Weber stated that he agreed with Staff's position on the Council's remand of the request to conditionally accept G Street.

Rebuttal
None.

Decision
Mr. Krigbaum made a motion to re-approve the Residential Site Plan and Improvement Plans in accordance with Staff Recommendation; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

Subdivision – Addition Plat

Chas. M. Wenner Addition to Brunswick, Lot 89 addition to Lot 88 – request for Addition Plat approval: Located on the north side of D Street, east of Maple Avenue.
Zoning Classification: R-1, BR-AP-03-02

Mr. Stup informed the Commission that, the application had been withdrawn by applicant.

Master Plan - Street Design

Discussion/approval of Staff's recommendation for cross-section requirement for development along Point of Rocks Road (MD Rte 464), Souder Road (MD Rte 464), and Burkittsville Road (MD Rte 17).

Mr. Stup presented the Staff proposal for the Right-of-Way Cross-Section Improvement to be required as the standard for developments fronting Burkittsville Road, Souder Road and Point of Rocks Road. He stated that MSHA needs to agree with the standard. In addition, the County Planning Commission must concur since parts of those roads are in the County and under their jurisdiction.

Mr. Stup answered Commission questions with regard to right-of way width, improvements, function of the different road classifications, jurisdiction, and construction options.

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Public Comment

Dan Snyder, Pleasants Development, commented on the potential cost of the improvements and the potential effects on development.

Decision

Mr. Burruss made a motion to approve Staff's proposal to adopt the Median Cross-Section for Major and Minor Arterial Road Standard for portions of Burkittsville Road from the Jefferson Pike round-about to the intersection of Souder/Petersville Road, the entire length of Souder Road, and Point of Rocks Road (MD Rte 464) from Souder Road to the Galyn Manor project; Ms. Koenig seconded the motion.

VOTE: Yea 5 Nay 0

Public Comment

Ms. Koenig requested clarification of Ms. Cable's earlier remarks on FRO, screening and landscaping, and how the City can ensure that approved conditions of the Commission are enforced.

Mr. Stup explained the new inspection and U & O Permit procedures.

Adjournment

The meeting was adjourned at 9:20 PM.

Respectfully submitted,

Connie Koenig, Secretary
Brunswick Planning Commission